

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MARK A CARROLL, II,)	
)	
Plaintiff,)	
)	
vs.)	Case No. <u>3:11-cv-00633-JPG-PMF</u>
)	
MIKE KERRKEE, <i>et al.</i>,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

FRAZIER, Magistrate Judge:

This case comes before the Court for case management purposes. On November 6, 2013, this court issued an order directing Plaintiff to show cause as to why this case should not be dismissed for failure to make partial payments toward the \$350 filing fee. *See* Doc. 33. As of this date, Plaintiff has not responded to the show cause order, has not responded to a subsequent order warning that this case would be dismissed if the Court did not receive further payments (Doc. 34), and has not made any payments toward the filing fee since April 29, 2013. *See* APPENDIX A (Case Report). It appearing that the Plaintiff has lost interest or is otherwise refusing to prosecute this case, it is recommended that this case be dismissed for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. If this Report and Recommendation is adopted in its entirety, this case can be closed.

SO RECOMMENDED.

DATED: December 27, 2013.

s/ Philip M. Frazier
PHILIP M. FRAZIER
UNITED STATES MAGISTRATE JUDGE